

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 5/15/2012	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from the Wei Tzuoh and Carrie Chen Revocable Trust; and from the Cambria Community Services District (CCSD), for the Main Street Bridge Replacement Project, Cambria, CA, (WBS 300180).			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: <ol style="list-style-type: none"> 1. Approve and execute the (Chen) Right of Way Agreement and accept the accompanying (Chen) Public Road and Slope Easement Deed by execution of the attached Certificate of Acceptance, and direct the Clerk to record the Public Road and Slope Easement Deed and return copies of the executed Right of Way Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and 2. Approve and execute two (2) originals of the (CCSD) Right of Way Agreement and direct the Clerk to return one (1) copy and one (1) original of the executed Right of Way Agreement to the Department of Public Works for completion of the transaction; and 3. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents necessary to close the transaction associated with these real property interests. 			
(6) FUNDING SOURCE(S) HBP, Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$27,500.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date	
(18) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(19) SUPERVISOR DISTRICT(S) District 2 -			

Reference: 12MAY15-C-5

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 5/15/2012

SUBJECT: Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from the Wei Tzuoh and Carrie Chen Revocable Trust; and from the Cambria Community Services District (CCSD), for the Main Street Bridge Replacement Project, Cambria, CA, (WBS 300180).

RECOMMENDATION

It is our recommendation that your Honorable Board:

1. Approve and execute the (Chen) Right of Way Agreement and accept the accompanying (Chen) Public Road and Slope Easement Deed by execution of the attached Certificate of Acceptance, and direct the Clerk to record the Public Road and Slope Easement Deed and return copies of the executed Right of Way Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
2. Approve and execute two (2) originals of the (CCSD) Right of Way Agreement and direct the Clerk to return one (1) copy and one (1) original of the executed Right of Way Agreement to the Department of Public Works for completion of the transaction; and
3. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents necessary to close the transaction associated with these real property interests.

DISCUSSION

Main Street Bridge over Santa Rosa Creek was originally built in 1929. Due to its narrow width and aging condition, the bridge has been found to be functionally obsolete and eligible for the Federal Highway Administration's Highway Bridge Program (HBP) replacement funds. The Main Street Bridge Replacement Project proposes to replace the existing 90-foot long two-span bridge with a 150-foot long single span concrete box-girder bridge.

The new bridge will be on an upstream alignment adjacent to the existing bridge to allow improved roadway geometrics and to allow Main Street to be open to traffic during the majority of the construction phase. Once the new bridge and roadway are completed and open to traffic, the existing bridge will be removed.

The Department has been working on developing the replacement project since 2003. The project design and right of way phases are being funded 80% by HBP funds and a local match of 20% from the County Road Fund. Construction is anticipated in 2013.

The attached Right of Way Agreement and Public Road and Slope Easement Deed from Wei T. Chen and Carrie Chen, Trustees of the Wei Tzuoh and Carrie Chen Revocable Trust will provide the County and its contractors with a permanent easement required for construction and maintenance of the proposed replacement bridge. The Temporary Construction Easement will provide for construction staging, workspace, and access during construction of the new bridge and for reconstruction of slopes and improvements related to the County's project and related to impacts to the Chen remainder property caused by the County's project.

The attached Right of Way Agreement from Cambria Community Services District will also provide the County and its contractors with a Temporary Construction Easement that will allow workspace for demolition of the old bridge and for the conforming of slopes to support the new bridge and realigned roadway. The County does not require a permanent easement from CCSD, so there is no Easement Deed associated with this ownership.

These acquisitions are based upon fair market value staff appraisals. The execution of the two Right of Way Agreements and the Public Road and Slope Easement Deed will allow the Department to proceed with processing and payment pursuant to the Right of Way Agreements.

OTHER AGENCY INVOLVEMENT/IMPACT

Caltrans is processing the funding and acting as lead federal agency. Federal Highway Administration, State Water Resources Control Board, Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service will be regulatory agencies from which the County will seek approval.

Your Board approved a Coastal Development Permit for the project in 2010 which was appealed to the Coastal Commission. The Commission denied the appeal in March of 2011 and the project's approval is complete.

County Counsel has reviewed and approved the attached documents as to legal form and effect.

FINANCIAL CONSIDERATIONS

The Right of Way Agreements provide for the following compensation:

Wei Tzuoh and Carrie Chen	\$25,000
CCSD	\$ 2,500
Total	\$27,500

This project is a multi-year project budgeted in the Roads Fund for FY 2011-12 – (WBS 300180) in the amount of \$4,076,094. The project will be funded by the Federal Highway Bridge Program and Road Funds.

RESULTS

Approval of the recommended actions will result in the appropriation of property rights required for this budgeted project. Ultimately, the completed project will provide a new bridge over Santa Rosa Creek, as well as enhanced safety and property access.

File: WBS 300180.05 (Cambria Main Street Bridge Replacement)

Reference: 12MAY15-C-5

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ATTACHMENTS

1. Vicinity Maps
2. Right of Way Agreement (Chen)
3. Public Road and Slope Easement Deed/Certificate of Acceptance (Chen)
4. Right of Way Agreement (CCSD)